

# **Schedule 25-4**

## **DEPARTMENT OF MOTOR VEHICLES**

### **FINANCIAL RESPONSIBILITY DIVISION**

**APRIL 11, 1996**

Nebraska Records Management Division  
440 South 8<sup>th</sup> Street, Suite 210  
Lincoln, NE 68508  
(402) 471-2559

**REQUEST FOR APPROVAL OF RECORDS RETENTION  
AND DISPOSITION SCHEDULE**

<b>TO: STATE RECORDS ADMINISTRATOR STATE OF NEBRASKA</b>	SCHEDULE NUMBER
	25-4
	AGENCY, BOARD OR COMMISSION
	Department of Motor Vehicles
	DIVISION, BUREAU OR OTHER UNIT
	Financial Responsibility Division
	Supersedes Edition of May 16, 1990

**PART I -- AGENCY STATEMENT**

In accordance with Section 84-1212.01, R.R.S. 1943, approval of the attached records retention and disposition schedule by the State Records Administrator is hereby requested. Retention periods and dispositions have been recommended by this agency after a careful evaluation of all factors listed in Section 84-1212.01, R.R.S. 1943.	
SIGNATURE	
* <i>Glewin Gbrowski</i>	
TITLE	DATE
<i>Director</i>	<i>March 29, 1996</i>

**PART II -- ARCHIVAL APPROVAL**

The attached schedule has been analyzed, all archival and historical material has been properly identified, no disposition except by transfer to the State Archives has been recommended for such material, and this schedule is approved as submitted.	
SIGNATURE	
* <i>Andrea I. B.</i>	
STATE ARCHIVIST	DATE
	<i>Apr. 5, 1996</i>

**PART III -- APPROVAL BY STATE RECORDS ADMINISTRATOR**

The attached schedule has been reviewed in accordance with Section 84-1212.01, R.R.S. 1943, and is approved as submitted.	
SIGNATURE	
* <i>[Signature]</i>	
ADMINISTRATOR	DATE
	<i>4-11-96</i>

## **INSTRUCTIONS FOR USING THIS SCHEDULE**

Records retention and disposition schedules are designed to serve as your records management guidelines for storing and disposing of agency records, ***regardless of the media on which they reside***, including paper, microfilm, diskettes, optical disks, CDs, DVDs, servers, computer hard drives, etc. This schedule was written specifically for records unique to your office and the State Agencies General Records Schedule #124 contains those records common to most state government agencies. These retention schedules, which are approved by the State Records Administrator, provide your only ongoing authority to dispose of records. Listed below are some basic procedures to follow when applying your schedule.

### **DISPOSING OF RECORDS**

1. Check your schedules to see what the retention period is. Note: Your agency's unique schedule will take precedence over State Agencies General Records Schedule #124 for any items which have differences in retention requirements.
2. Dispose of records that have met their retention periods.
3. Complete a Records Disposition Report for the records you dispose. The Records Disposition Report form is the last page of this schedule. Remove the form, photocopy it, complete the form, make a photocopy for your records, and send the completed form to the Records Management Division at the address below. If you wish, you may receive this form electronically by contacting the Records Management Division. This report establishes that the destruction was performed in your normal course of business.

**Please remember to retain the blank form for future use.**

### **NON-SCHEDULED RECORDS**

Contact a Records Management Consultant in Records Management to see whether the records will fit under an item already on the schedule. If they do not, they must be retained until they are added to the next revision of your schedule.

### **SCHEDULE UPDATE**

It is the responsibility of each agency to periodically update their schedule. A Records Management Consultant in Records Management can assist you with the schedule update, which involves adding new records and making revisions to existing items. Keeping your schedule current will ensure that you have the ongoing authority to discard records when their useful life has ended.

### **QUESTIONS**

If you have any questions about these procedures, please contact your agency Records Officer or your Records Management Consultant in Records Management. We will help you with any questions the schedule may present, including: transferring records to the State Records Center or State Archives, microfilming records, scanning records, etc.

**Records Management Division  
440 South 8th Street, Suite 210  
Lincoln, NE 68508-2294  
402-471-2559**

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## **SCHEDULE 25-4 – DEPARTMENT OF MOTOR VEHICLES – FINANCIAL RESPONSIBILITY DIVISION**

### **25-4-1 ACCIDENT VIOLATIONS**

Accident Violation files may result in a variety of actions. The contents of each file will have common documents but the disposition will depend upon the type of action involved. Common documents may include copies of accident reports, liability information, financial responsibility, notice of suspension, order of suspension, affidavit of damages paid, security, receiving payment document or voucher, lost license statement, reinstatement letter, discharge of bankruptcy, financial responsibility certificate, appeal bond, restraining order or petition, bankruptcy and other documents that relate to the file.

**ACCIDENT CASES WITH BANKRUPTCY PETITION:** Dispose of 6 months after receipt of final discharge.

**ACCIDENT CASES WITH ORDER OF STAY:** Dispose of 6 months after receipt of final disposition from the court.

**ACCIDENT SUSPENSIONS - NOT REINSTATED:** Transfer to the State Records Center 3 years after date of accident; dispose of after reinstatement fee has been paid or death has been confirmed, whichever is sooner.

**ACCIDENT SUSPENSIONS REINSTATED WITH A COMPLETE RELEASE:** Transfer to the State Records Center 2 months after the date of reinstatement; dispose of after end of the following fiscal year provided audit has been completed.<sup>1</sup>

**ACCIDENT SUSPENSIONS REINSTATED WITH AN AGREEMENT OR CONDITIONAL RELEASE:** Transfer to the State Records Center after end of the fiscal year; dispose of 6 months after expiration date of agreement or conditional release, provided audit has been completed.<sup>1</sup>

**ACCIDENT SUSPENSIONS REINSTATED WITH CASH SECURITY:** Dispose of after return of security or 7 years after the date of deposit (funds are transferred to the State Treasurer - Unclaimed Property Division), provided audit has been completed.<sup>1</sup>

**ACCIDENT SUSPENSIONS WITHDRAWN WITH PROOF OF INSURANCE/COMPLETE RELEASE:** Transfer to the State Records Center 2 months after the date of reinstatement; dispose of after end of the following fiscal year provided audit has been completed.<sup>1</sup>

**AGREEMENT FILE:** Dispose of 6 months after agreement has expired.

**DEFAULT IN PAYMENT SUSPENSIONS - NOT REINSTATED:** Transfer to the State Records Center 3 years after date of suspension; dispose of after reinstatement fee has been paid or death has been confirmed; whichever is sooner.

**DEFAULT IN PAYMENT SUSPENSIONS REINSTATED WITH A COMPLETE RELEASE:** Transfer to the State Records Center 2 months after the date of reinstatement; dispose of after end of the following fiscal year provided audit has been completed.<sup>1</sup>

**DEFAULT IN PAYMENT SUSPENSIONS REINSTATED WITH AN AGREEMENT OR CONDITIONAL RELEASE:** Transfer to the State Records Center after end of the fiscal year; dispose of 6 months after expiration of agreement or conditional release, provided audit has been completed.<sup>1</sup>

**JUDGMENT REINSTATED WITH COMPLETE SATISFACTION:** Transfer to the State Records Center 2 months after the date of reinstatement; dispose of after end of the following fiscal year provided audit has been completed.<sup>1</sup>

**JUDGMENT SUSPENSION REINSTATED WITH AN AGREEMENT:** Transfer to the State Records Center after end of the fiscal year; dispose of 15 years after the date of suspension provided audit has been completed.<sup>1</sup>

**JUDGMENT SUSPENSION WITHDRAWN WITH COMPLETE SATISFACTION:**

Dispose of 6 months after suspension is withdrawn.

**JUDGMENT SUSPENSIONS - NOT REINSTATED:** Transfer to the State Records Center 15 years after the date of suspension; dispose of after reinstatement fee has been paid or death has been confirmed, whichever is sooner.

**JUDGMENT SUSPENSIONS REINSTATED WITH AFFIDAVIT OF DORMANCY:**

Transfer to the State Records Center 2 months after the date of reinstatement; dispose of after end of the following fiscal year, provided audit has been completed.

**PRE-CASE INVESTIGATION:** Dispose of after 6 months if no action is taken.

**25-4-2 TRAFFIC VIOLATIONS**

A Traffic Violation file may contain orders of suspension, notice of revocation, order of revocation, pickup order, suspended or revoked driver's license, registration and license plates, reinstatement fee receipt, driver education and training course certificate, motor vehicle record, reinstatement letter, seminar notes, revocation notice, order of dismissal, employment driving permit application and other documents that relate to the file.

**CASES ON APPEAL:** Dispose of after settlement of appeal.

**IMPLIED CONSENT - IF REINSTATED:** Dispose of 2 years after the date of revocation.

**IMPLIED CONSENT - NOT REINSTATED:** Transfer to the State Records Center 2 years after the date of revocation; dispose of after reinstatement fee has been paid or death has been confirmed, whichever is sooner.

**INSURANCE CANCELLATION SUSPENSION - IF REINSTATED:** Dispose of 3 years after the individual becomes eligible for reinstatement.

**POINT REVOCATIONS/COURT ORDERED SUSPENSION - IF REINSTATED:** Dispose of 3 years after date the suspended/revoked driver becomes eligible for reinstatement.

**TRAFFIC VIOLATION SUSPENSION/REVOCATION FILES - NOT REINSTATED:**

Transfer to the State Records Center 3 years after date of eligibility; dispose of after reinstatement fee has been paid or death has been confirmed, whichever is sooner.

**ADMINISTRATIVE LICENSE REVOCATION (ALR) - REINSTATED:** Transfer to the State Records Center (if no other open suspensions/revocations in file); dispose of 8 years after the date of reinstatement.

**ADMINISTRATIVE LICENSE REVOCATION (ALR) - NOT REINSTATED:** Transfer to the State Records Center 2 years after the date of revocation; dispose of after death has been confirmed.

**25-4-3 DELETED**

**25-4-4 INSURANCE INFORMATION FILE (SR-23)**

Card file is maintained for companies with fleets of twenty-five vehicles or more. Shows financial responsibility for the fleets.

**Dispose of 15 years after filing date or after receipt of an SR-26 Certification of Cancellation, whichever is sooner.**

**25-4-5 DELETED**

**25-4-6 DELETED**

#### **25-4-7      FAILURE TO COMPLY**

Failure to Comply file may contain notice of suspension, order of suspension, failure to comply notice from the court, pickup order, suspended driver's license, reinstatement fee receipt, motor vehicle record, compliance from the court, reinstatement letter and other documents that relate to the file.

**SUSPENSIONS - NOT REINSTATED: Transfer to the State Records Center 3 years after the last date of suspension; dispose of after death has been confirmed.**

**SUSPENSIONS - REINSTATED: Transfer to the State Records Center 2 months after the date of reinstatement; dispose of after end of the following fiscal year, provided audit has been completed.<sup>1</sup>**

#### **25-4-8      GENERAL CORRESPONDENCE (GC FILE)**

GC file may contain insurance inquiries, responses to inquiries from the general public, reinstatement letters and reinstatement fee receipts (for files reinstated after the purge date, which varies for each type of suspension/revocation).

**Transfer to the State Records Center after 1 year; dispose of after 2 years, provided audit has been completed.<sup>1</sup>**

#### **25-4-9      DELETED**

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#### **NOTES**

1. These records may be disposed of after the required retention period provided the audit of the Comprehensive Annual Financial Report (CAFR) is complete and any required federal audit is complete *and all related audit comments have been resolved*. Check with the organization that performed the audit, either the Auditor of Public Accounts or the federal cognizant agency, if there is a question whether resolution is complete.

## RECORDS DISPOSITION REPORT

<b>TO: SECRETARY OF STATE</b> <b>RECORDS MANAGEMENT DIVISION</b> <b>440 S. 8<sup>TH</sup> STREET SUITE 210</b> <b>LINCOLN, NE 68508-2294</b>	AGENCY
	DIVISION
	SUB-DIVISION

### REQUIRED INFORMATION:

In accordance with the Records Management Act, records of this agency have been disposed of under the authorization granted by the following schedule(s):

SCHEDULE NUMBER(S) ONLY (DO NOT INCLUDE SECTION AND ITEM NUMBERS)	TOTAL VOLUME DISPOSED (SEE REVERSE)

### OPTIONAL INFORMATION (FOR YOUR USE ONLY):

You may include detailed information which will be useful to you in recording exactly what records were disposed of and under what authority. This might include such things as schedule section and item numbers, title of records, inclusive dates of records, etc. This information is not required to be filed with Records Management.

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DATE	SIGNATURE
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**SEND ORIGINAL TO RECORDS MANAGEMENT. MAKE A PHOTOCOPY FOR YOUR RECORDS.**

RMA 03006D



## **VOLUME ESTIMATING GUIDE**

**(PLEASE NOTE THAT FOR REPORTING PURPOSES, A BALLPARK  
ESTIMATE OF THE TOTAL VOLUME OF MATERIAL DISPOSED IS  
ADEQUATE.)**

Vertical File Cabinet, 4 drawer letter-size .....	6 cubic feet
Vertical File Cabinet, 4 drawer legal-size.....	8 cubic feet
Lateral File, 4 drawer/shelf letter-size .....	9 cubic feet
Lateral File, 4 drawer/shelf legal-size.....	12 cubic feet
Records center carton.....	1 cubic foot
About a pickup load.....	50 cubic feet